

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

In re DYNAMIC RANDOM ACCESS  
MEMORY (DRAM) ANTITRUST  
LITIGATION

No. M 02-1486 PJH

This Document Relates to:  
All Indirect Purchaser Actions

**ORDER MODIFYING PRIOR  
STIPULATION AND ORDER  
RE CLASS CERTIFICATION  
BRIEFING SCHEDULE**

On September 4, 2007, the court issued an order granting the parties' proposed modifications to the briefing schedule regarding plaintiffs' motion for class certification. The stipulation sought to modify the July 6, 2007 briefing schedule previously set by the court, in order to accommodate defendants' potential filing of a motion to dismiss in response to plaintiffs' recently filed Second Amended Complaint. After further review of the parties' stipulation, the court hereby modifies the September 4 stipulation and order as follows:

1. Defendants' response to plaintiffs' Second Amended Complaint, including any motion to dismiss, shall be filed no later than October 1, 2007.

2. In the event defendants file a motion to dismiss in lieu of answering the Second Amended Complaint, plaintiffs' opposition to defendants' motion to dismiss shall be filed no later than October 31, 2007. Defendants shall file any reply in support of their motion to dismiss no later than November 19, 2007. The hearing on defendants' motion to dismiss shall take place on December 12, 2007.

3. With respect to plaintiffs' pending motion for class certification, defendants shall file their opposition brief no later than September 28, 2007. Plaintiffs shall complete discovery of defendants' class certification experts no later than November 9, 2007. Plaintiffs' reply brief in support of their motion for class certification shall be filed no later

1 than December 17, 2007. The hearing on plaintiffs' motion for class certification shall take  
2 place on January 16, 2007.

3 4. Notwithstanding the above, and in the event that defendants choose *not* to file  
4 a motion to dismiss by October 1, 2007 (but instead file an answer), the aforementioned  
5 briefing schedule with respect to plaintiffs' class certification motion is altered as follows:  
6 Plaintiffs shall complete discovery of defendants' class certification experts no later than  
7 October 26, 2007. Plaintiffs' reply brief in support of their motion for class certification shall  
8 be filed no later than November 28, 2007. These dates more appropriately reflect the  
9 original two month time frame between the filing of defendants' opposition brief and  
10 plaintiffs' reply brief, as contemplated by the parties and the court in the July 6, 2007  
11 stipulation and order. In the event no motion to dismiss is filed, the hearing on plaintiffs'  
12 motion for class certification shall in any event take place on January 16, 2008.

13 This order supercedes the September 4, 2007 stipulation and order entered by the  
14 court at docket no. 1701.

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16 **IT IS SO ORDERED.**

17 Dated: September 5, 2007



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19 PHYLLIS J. HAMILTON  
20 United States District Judge  
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